

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

In re: DERRYN NICOLE JONES, et al.,

Case No. 1:17-mc-12
Dlott, J.
Litkovitz, M.J.

ORDER

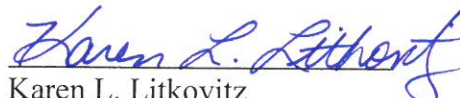
On March 8, 2017, Derryn Nicole Jones and Dwight Earl Jones filed an “Affidavit of Facts Relating to Title” pursuant to Ohio Rev. Code § 5301.252. (Doc. 1).

Ohio Rev. Code § 5301.252 governs the recording of affidavits relating to title and provides in pertinent part:

An affidavit stating facts relating to the matters set forth under division (B) of this section that may affect the title to real estate in this state, made by any person having knowledge of the facts or competent to testify concerning them in open court, *may be recorded in the office of the county recorder in the county in which the real estate is situated.* When so recorded, such affidavit, or a certified copy, shall be evidence of the facts stated, insofar as such facts affect title to real estate.

Ohio Rev. Code § 5301.252(A) (emphasis added). The property at issue is located in Hamilton County, Ohio. (Doc. 1 at 2, ¶ 4). Therefore, the affidavit filed by Mr. and Mrs. Jones should have been filed in the office of the Hamilton County, Ohio recorder and not in this federal court. Accordingly, the Clerk of Court is hereby **DIRECTED** to close this matter on the docket of the Court.¹

Date: 3/28/17


Karen L. Litkovitz
United States Magistrate Judge

¹ To the extent Mr. and Mrs. Jones may be seeking to file a miscellaneous action in this Court concerning the state court foreclosure action against them, such an action is duplicative of an action currently pending before this Court, *see Jones v. US Bank National Association, as Trustee for CSMC Mortgage Backed Pass-Through Certificates, Series 2006-2, et al.*, No. 1:16-cv-778 (S.D. Ohio) (Doc. 27, amended complaint), and would be subject to dismissal as duplicative. *See Ball v. Obama*, No. 1:13-cv-204, 2013 WL 2153967 (S.D. Ohio May 16, 2013).